



PATENT
Customer No. 22,852
Attorney Docket No. 06809.0018-03000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Randy W. WESTLUND et al.)	Group Art Unit: 3738
)	
Application No.: 10/617,881)	Examiner: Unknown
)	
Filed: July 14, 2003)	
)	
For: SEAL FOR USE WITH MEDICAL)	Confirmation No.: 3418
DEVICE AND SYSTEM)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached Form PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents were previously cited in prior Application Nos. 09/738,590 and 09/970,195, filed on December 15, 2000 and October 2, 2001 respectively, upon which applicants claim benefit under 35 U.S.C. § 120. Thus, under the provisions of 37 C.F.R. § 1.98(d), copies of the listed documents are not being submitted herewith. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached 1449 form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Patent Office the relevant facts and law regarding the appropriate status of such documents.


Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 20, 2004

By: 
Roland G. McAndrews
Reg. No. 41,450

INFORMATION DISCLOSURE CITATION

Atty. Docket No.	06809.0018-03000	Application No.	10/617,881
Applicant	Randy W. WESTLUND et al.		OCT 20 2004
Filing Date	July 14, 2003	Group:	3738

U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	3,769,984	11/1973	Muench			
	4,011,875	03/1977	Lehr et al.			
	4,106,512	08/1978	Bisping			
	4,146,036	03/1979	Dutcher et al.			
	4,185,639	01/1980	Linder			
	4,217,913	08/1980	Dutcher			
	4,282,885	08/1981	Bisping			
	4,311,153	01/1982	Smits			
	4,355,646	10/1982	Kallok et al.			
	4,467,806	08/1984	Bhiwandiwalla et al.			
	4,506,680	03/1985	Stokes			
	4,537,186	08/1985	Verschoof et al.			
	4,577,642	03/1986	Stokes			
	4,649,938	03/1987	McArthur			
	4,649,904	03/1987	Krauter et al.			
	4,667,686	05/1987	Peers-Travarton			
	4,819,661	04/1989	Heil, Jr. et al.			
	4,886,074	12/1989	Bisping			
	4,932,407	06/1990	Williams			
	4,934,381	06/1990	MacGregor			

Examiner	Date Considered
<p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce

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U.S. PATENT DOCUMENTS							
Examiner Initial*		Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
		4,943,289	07/1990	Goode et al.			
		4,953,564	09/1990	Berthelsen			
		5,002,067	03/1991	Berthelsen et al.			
		5,003,990	04/1991	Osypka			
		5,003,992	04/1991	Holleman et al.			
		5,011,482	04/1991	Goode et al.			
		5,013,310	05/1991	Goode et al.			
		5,014,696	05/1991	Mehra			
		5,015,238	05/1991	Solomon et al.			
		5,016,646	05/1991	Gotthardt et al.			
		5,041,107	08/1991	Heil, Jr.			
		5,099,838	03/1992	Bardy			
		5,103,837	04/1992	Weidlich et al.			
		5,207,683	05/1993	Goode et al.			
		5,234,437	08/1993	Sepetka			
		5,243,996	09/1993	Hall			
		5,266,325	11/1993	Kuzma et al.			
		5,283,063	02/1994	Freeman			
		5,299,580	04/1994	Atkinson et al.			
		5,304,121	04/1994	Sahatjian			

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		5,304,218	04/1994	Alferness			
		5,313,943	05/1994	Houser et al.			
		5,324,324	06/1994	Vachon et al.			
		5,348,021	09/1994	Adams et al.			
		5,350,404	09/1994	Adams et al.			
		5,381,790	01/1995	Kanesaka			
		5,397,343	03/1995	Smits			
		5,425,755	06/1995	Doan			
		5,433,729	07/1995	Adams et al.			
		5,447,534	09/1995	Jammet			
		5,456,708	10/1995	Doan et al.			
		5,458,621	10/1995	White et al.			
		5,476,498	12/1995	Ayers			
		5,476,501	12/1995	Stewart et al.			
		5,487,385	01/1996	Avitall			
		5,496,360	03/1996	Hoffmann et al.			
		5,507,301	04/1996	Wasicek et al.			
		5,507,724	04/1996	Hofmann et al.			
		5,509,411	04/1996	Littmann et al.			
		5,514,173	05/1996	Rebell et al.			

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		5,520,194	05/1996	Miyata et al.			
		5,522,874	06/1996	Gates			
		5,545,204	08/1996	Cammilli et al.			
		5,531,780	07/1996	Vachon			
		5,562,275	10/1996	Weissenfluh			
		5,584,873	12/1996	Shoberg et al.			
		5,609,622	03/1997	Soukup et al.			
		5,620,477	04/1997	Pless et al.			
		5,643,231	07/1997	Lurie et al.			
		5,669,790	09/1997	Carson et al.			
		5,693,034	12/1997	Buscemi et al.			
		5,720,631	02/1998	Carson et al.			
		5,755,765	05/1998	Hyde et al.			
		5,755,766	05/1998	Chastain et al.			
		5,782,239	07/1998	Webster, Jr.			
		5,782,760	07/1998	Schaer			
		5,800,495	09/1998	Machek et al.			
		5,800,497	09/1998	Bakels et al.			
		5,803,928	09/1998	Tockman et al.			
		5,807,384	09/1998	Mueller			

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		5,897,819	04/1999	Miyata et al.			
		5,902,329	05/1999	Hoffman et al.			
		5,910,364	06/1999	Miyata et al.			
		5,935,137	08/1999	Saadat et al.			
		5,935,160	08/1999	Auricchio et al.			
		5,951,597	09/1999	Westlund et al.			
		5,957,842	09/1999	Littmann et al.			
		6,039,685	03/2000	Bushek			
		6,042,624	03/2000	Breyen et al.			
		6,141,576	10/2000	Littmann et al.			
		6,192,280	02/2001	Sommer et al.			
		6,193,748	02/2001	Thompson et al.			
		6,240,321	05/2001	Janke et al.			
		6,287,280	09/2001	Lampropoulos et al.			
		6,356,791	03/2002	Westlund et al.			
		6,377,856	04/2002	Carson			
		6,408,213	06/2002	Bartig et al.			
		6,447,539	09/2002	Nelson et al.			
		6,473,651	10/2002	Kuzma et al.			
		6,634,364	10/2003	Westlund et al.			

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U.S. PATENT APPLICATION DOCUMENTS

Examiner Initial*	Document Number	Publication Date	Name	Class	Sub Class	Filing Date If Appropriate
	2002/0193742	12/2002	Davey			

FOREIGN PATENT DOCUMENTS

	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
	CA 2,178,934	04/1996	Canada			
	DE 195 09 609 A1	10/1995	Germany			No
	DE 199 16 866 A1	10/1999	Germany			No
	0 057 877 B1	08/1982	EP			
	0 709 111 A2	05/1996	EP			
	0 709 111 A3	11/1997	EP			
	0 993 840	04/2000	EP			No
	GB 2 032 278 A	05/1980	UK			
	2268066	01/1994	GB			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Advances in Pacemaker Technology (M. Schaldach et al. eds., Springer-Verlag, 1975) pp. 30-31
	Research Disclosure, "Guidewire Placement of Electrical Lead," October 1993, p. 685.
	DiColo G. et al., "Effect of Water-Soluble Additives on Drug Release From Silicone Rubber Matrices", <u>Int. J. Pharm.</u> , Vol. 30, 1-7, (May 1986).

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	Fedors R.F., "Osmotic Effects in Water Absorption by Polymers", <u>Polymer</u> , Vol. 21, 207-212, (February 1980).
	Golomb G. et al., "The Relationship Between Drug Release Rate, Particle Size and Swelling of Silicone Matrices", <u>Journal of Controlled Release</u> , Vol. 12, 121-132, (1990).

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